



800 MHz Transition Administrator  
c/o Robert B. Kelly  
Squire, Sanders, & Dempsey L.L.P.  
1201 Pennsylvania Avenue, N.W.  
P.O. Box 407  
Washington, D.C. 20044-0407

**Re: Elections of Preferred Communication Systems, Inc.**

Dear Mr. Kelly:

In accordance with the Transition Administrator ("TA") Press Release, dated April 21, 2005, entitled "800 MHz Transition Administrator Accepting EA Licensee Relocation Elections", Preferred Communication Systems, Inc. ("Preferred") hereby provides the following information in support of the election set forth below:

1. **Contact Information**

Preferred Communication Systems, Inc.  
400 East Royal Lane  
N24  
Irving, Texas 74039  
ATTN: Charles M. Austin, President  
Telephone No.: 972-869-7626  
Facsimile No.: 972-869-7625  
E-mail Address: [PreComSys@aol.com](mailto:PreComSys@aol.com)

with a copy to:

Paul C. Besozzi, Esquire  
Patton Boggs LLP  
2550 M Street, N.W.  
Washington, D.C. 20037-1350  
Telephone No.: 202-457-5292  
Facsimile No.: 202-4457-6315  
E-mail Address: [pbsozzi@pattonboggs.com](mailto:pbsozzi@pattonboggs.com)

2. **Call Signs Of All Relevant Licenses**

Preferred provides this information in Exhibit 1 attached hereto. As noted by Skitronics, LLC in its May 10, 2005 Economic Area (“EA”) Licensee election, on the assumption that any restrictions on Preferred’s ability to relocate its site-based licensees into the ESMR band is reversed, Preferred has included in its election the relevant site-based licenses as well.<sup>1</sup>

3. **Statement of Election**

Preferred elects to relocate the licensees in Exhibit 1 to the ESMR Band.

4. **ESMR Certification**

Preferred certifies that (1) it has the spectrum capacity to build and operate an ESMR system as that term is defined by Section 90.7 of the FCC’s rules, which definition includes having more than five overlapping interactive sites with hand off capability and any one such site with an antenna height less than 30.4 meters (100 ft.) above ground level and a HAAT of less than 152.4 meters (500 ft) and 20 or more paired frequencies; and (2) Preferred intends to operate an ESMR system within the ESMR portion of the Private Land Mobile Radio band. Preferred provides this certification based on the FCC licensing databases for 1996 and 2000 currently available to Preferred’s engineering consultants, Concepts To Operations, Inc., for determining the incumbents originally licensed sites’ locations and interference protection contours within Preferred’s EAs. Preferred has unsuccessfully sought access to the FCC licensing database for 1990-1996, which clearly would be the optimum database to reflect this information and to resolve possible disputes between Preferred and other non-Nextel EA licensees and Nextel or Nextel Partners. For reasons previously outlined to the FCC and the TA, Preferred cannot in good conscience rely upon the TA Tools database.<sup>2</sup>

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<sup>1</sup> See EA Licensee Election of Skitronics, LLC, dated May 10, 2005, at p.1. Further, Preferred has itself filed a petition for review of the FCC’s December 22, 2004 Supplemental Order in Docket No. 02-55 with the United States Court of Appeals for the District of Columbia Circuit. Therein, Preferred has challenged, among other things, the conditions imposed on certain EA licensees making the election to transfer to the ESMR Band. Preferred’s election herein is subject to the outcome of that challenge and does not constitute a waiver or relinquishment of that issue in its petition or any other issue raised therein.

<sup>2</sup> See, Letter From Alejandro A. Calderon, President, Concepts To Operations, Inc., dated May 2, 2005, to Charles M. Austin, President, Preferred Communication Systems, Inc., filed with FCC in Docket No. 02-55 on May 3, 2005 (reporting on errors in TA Tools data).

I certify under penalty of perjury that the foregoing is true and correct.

Charles M. Austin

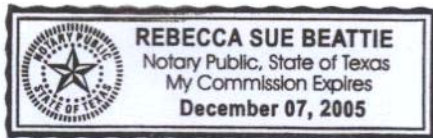
Charles M. Austin

President

Preferred Communication Systems, Inc.

State of Texas  
County of Dallas

Subscribed and sworn to before me by Charles M. Austin, this 13<sup>th</sup> day of May 2005.



Rebecca Sue Beattie

Notary Public

My commission expires: December 7, 2005

# Exhibit 1

# Call Signs of All Relevant Preferred Licenses Cross-Referenced by EA

CALL SIGN	EA License Y = EA	Site License N=SITE	Frequency Block	Channel	# Locations	EA's Covered
WPRQ941	Y		D	851.0125-851.6125		BEA013
WPRQ963	Y		EE	852.8875-853.4875		BEA013
WPRQ968	Y		F	853.5125-854.1125		BEA013
WPRQ973	Y		FF	854.1375-854.7375		BEA013
WPRQ942	Y		D	851.0125-851.6125		BEA015
WPRQ964	Y		EE	852.8875-853.4875		BEA015
WPRQ969	Y		F	853.5125-854.1125		BEA015
WPRQ974	Y		FF	854.1375-854.7375		BEA015
WPRQ943	Y		D	851.0125-851.6125		BEA016
WPRQ949	Y		DD	851.0125-851.6125		BEA016
WPRQ955	Y		E	852.2625-852.8625		BEA016
WPRQ965	Y		EE	852.8875-853.4875		BEA016
WPRQ970	Y		F	853.5125-854.1125		BEA016
WPRQ975	Y		FF	854.1375-854.7375		BEA016
WPRQ944	Y		D	851.0125-851.6125		BEA017
WPRQ950	Y		DD	851.0125-851.6125		BEA017
WPRQ956	Y		E	852.2625-852.8625		BEA017
WPRQ966	Y		EE	852.8875-853.4875		BEA017
WPRQ971	Y		F	853.5125-854.1125		BEA017
WPRQ976	Y		FF	854.1375-854.7375		BEA017
WPRQ945	Y		D	851.0125-851.6125		BEA048
WPRQ951	Y		DD	851.0125-851.6125		BEA048
WPRQ957	Y		E	852.2625-852.8625		BEA048
WPRQ952	Y		DD	851.0125-851.6125		BEA162
WPRQ958	Y		E	852.2625-852.8625		BEA162
WPRQ977	Y		FF	854.1375-854.7375		BEA162
WPRQ959	Y		E	852.2625-852.8625		BEA163
WPRQ946	Y		D	851.0125-851.6125		BEA164
WPRQ960	Y		E	852.2625-852.8625		BEA164
WPRQ978	Y		FF	854.1375-854.7375		BEA164
WPRQ947	Y		D	851.0125-851.6125		BEA165
WPRQ953	Y		DD	851.0125-851.6125		BEA165
WPRQ961	Y		E	852.2625-852.8625		BEA165
WPRQ948	Y		D	851.0125-851.6125		BEA174
WPRQ954	Y		DD	851.0125-851.6125		BEA174
WPRQ962	Y		E	852.2625-852.8625		BEA174
WPRQ967	Y		EE	852.8875-853.4875		BEA174
WPRQ972	Y		F	853.5125-854.1125		BEA174
WPEY424		N		854.3625	1	BEA174
WPEY425		N		854.4375	1	BEA174
WPEY430		N		854.4625	1	BEA174
WPFA265		N		854.1375	1	BEA174
WPFA266		N		854.1875	1	BEA174
WPFA268		N		854.2375	1	BEA174
WPFA269		N		854.2875	1	BEA174
WPFA273		N		854.3875	1	BEA174
WPFA607		N		854.2625	1	BEA174
WPFD808		N		854.3375	1	BEA174
WPFD809		N		854.4875	1	BEA174
WPFD810		N		854.5375	1	BEA174
WPFE472		N		854.1625	1	BEA174
WPFG589		N		854.5625	1	BEA174
WPFG599		N		854.6375	1	BEA174
WPFZ805		N		854.7125	1	BEA174
WPFZ806		N		854.5875	1	BEA174
WPFZ807		N		854.6625	1	BEA174
WPFZ808		N		854.4875	1	BEA174
WPGD852		N		854.3875	1	BEA174
WPGD855		N		854.6875	1	BEA174